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REMARKS

OCT 12 2006

Reconsideration is respectfully requested.

As a preliminary matter, Applicant acknowledges receipt of an interview summary mailed July 20, 2006. Therein, the substance of the interview is reported as follows: "The examiner informed the Counsel that he has inadvertently missed out to fill the shortened statutory period in the PTOL 326, and the statutory time should be 3 months from the mailing date of the office action." Applicant agrees with that this statement accurately reflects the substance of the interview.

1. In paragraph 1 of the July 12, 2006, Office Action, the Examiner made final the election requirement over Applicant's election with traverse. Applicant acknowledges such action.

2. In paragraph 2 of the Office Action, the Examiner acknowledged receipt of papers submitted under 35 U.S.C. 119(a)-(d) and placing said papers of record in the file. Applicant acknowledges such action.

3. In paragraph 3 of the Office Action, the Examiner acknowledged that the information disclosure statement submitted on October 5, 2004, has been considered by the Examiner. Applicant acknowledges such action.

4-5. In paragraphs 4 and 5 of the Office Action, the Examiner rejected claims 10-12 under 35 U.S.C. §112, second paragraph. According to the Examiner, the claims are indefinite as merely reciting a use without any steps delimiting how the use is practiced.

In paragraphs 4-5 of the Office Action, the Examiner also rejected claims 10-12 use 35 U.S.C. §101 as improper process claims.

In response, Applicant has canceled claims 10 and 12 and amended claim 11 to recite steps pointing out a process of making a polymer. No new matter has been added. Support for the amendment is found in original claims 10-12.

It is respectfully submitted that the forgoing amendments overcome the rejections in paragraphs 4-5 of the Office Action.

6-7. In paragraphs 6-7 of the Office Action, the Examiner rejected claims 1-5 and 8-9 under 35 U.S.C. §102 as being anticipated by Golborn et al. According to the Examiner, Golborn et al. discusses at col. 5, lines 35-60, some compounds falling in the general formula of claim 1. However, Golborn et al. discloses only compounds wherein R is phenyl, n is 0, R₁ is hydrogen and m is equal to 1, 2, 3, or 4, according to the applicants's compounds.

In response to the rejection, claim 1 has been amended by deleting those compounds wherein R is phenyl and n is 0. In addition, claim 9 has been amended to correspond to the amendments in claim 1 such that n is equal to 1 and p and q are equal to 0 or 1.

It is respectfully submitted that the presently claimed compounds are not disclosed in Gilborn et al. and therefore the rejection is overcome.

8-10. In paragraphs 8-10, the Examiner rejected claims 16-22 as being unpatentable under 35 U.S.C. §103(a) over DE 3824 961 or Branchaud et al.

Applicant respectfully submits that these references do not disclose any compound with R equal to a phenyl radical with n different from 0 and with R equal to naphthalene radical or equal to a biphenyl radical. In addition, Applicant respectfully submits that these references do not contain any teaching or suggestion regarding the properties of the compounds indicated in the claims.

Based on the forgoing, it is respectfully submitted that the rejection is overcome.

11. In paragraph 11, the Examiner objected to claims 6 and 7 as being dependent on a rejected base claim but stated that they would be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims.

In response, Applicant has amended claim 6-7 to independent form and to include the limitations of the base claim and any intervening claims.

Based on the forgoing, it is respectfully submitted that the objection is overcome.

* * *

Early and favorable action is earnestly solicited.

Respectfully submitted,


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